

**BILL INTRODUCTION
DELUGE COMING**

The 2003-04 Legislative Session is just over two months old (it officially began December 2, 2002) and, true to form, most legislators have yet to show their hands as far as their first-year legislative programs are concerned.

As of Thursday, February 6, only 306 regular session bills had been introduced in the Assembly, and 147 in the Senate. That is slightly ahead of last session's pace for the Assembly, where AB 306 of 2001 was not introduced until February 16 – just five days before that year's deadline. The Senate, in contrast, is a week behind last session's schedule – and a full month behind the pace set in 1999.

The slow pace of bill introductions continues a trend in recent years, where more and more bills are being introduced closer to the bill introduction deadline (Friday, February 21, this year). Where in the early '90's, roughly 75% of all bills for a given year were introduced in the two weeks preceding the deadline, last year that percentage of bills (over 1000) was introduced in the final holiday-shortened week alone, with well over 400 introduced on the final day.

Nor is that likely to be the end of it, if recent trends continue. The February bill introduction deadline used to be relatively absolute, with only a handful of bills – mostly bills authored by committees or urgency measures for which rule waivers are not necessary -- being introduced post-deadline. In 1999, only 92 bills were introduced after the bill introduction deadline. By 2002, however, that number had jumped to 327, most of which were simply regular bills for which the deadline was waived.

All in all, it is very likely that over 3,000 regular session bills will be introduced – and maybe more, given that the bill introduction limit for Assembly Members has been raised from years past. (Under the Legislature's

rules, each Senator is allowed to introduce 65 bills during the course of a two-year session, while members of the Assembly can introduce 40 bills during the session, up from 30 bills last session.) Overall this means the next two weeks could see the introduction of as many as 2,500 bills.

To sum up: The deluge is coming!

(Note: To keep up with the bills as they are introduced, go to:

<http://www.calbar.ca.gov/calbar/html/unclassified/ViewBillCatalogs.html>)

A FEW BILLS OF INTEREST

To date, there have been few bills introduced of general interest to attorneys or the courts – and even fewer of substance. The following are some recently-introduced bills of potential interest:

- [SB 122 \(Escutia\)](#) – Private Enforcement Actions – “Spot” bill by the Chair of the Senate Judiciary Committee to serve as a vehicle for possible changes to the state’s Unfair Competition Law if necessary (see “*Sacramento Scene*” for [January 17](#) and [January 3, 2003](#), and [December 13, 2002](#), along with [AB 69](#), [AB 95](#) and [AB 102](#))
- [SB 79](#) (Senate Judiciary Committee – Trial Court Restructuring – Clean-up measure by the [California Law Revision Commission](#) to conform various statutory provisions to the abolition of municipal courts and their unification within the superior courts.
- [SB 144 \(Escutia\)](#) – Judicial Council: Trial Court Meetings – Measure sponsored by the [American Federation of State, County & Municipal Employees \(AFSCME\)](#) which would require the Judicial

Council to adopt rules providing for the public to attend meetings of boards, committee or multimember bodies performing administrative or financial functions of trial courts.

**BUDGET RELATED STORIES –
AT A GLANCE**

- **State's credit rating to fall** - Various elected officials and Governor Davis appointees expect Moody's Investors Services to downgrade California's financial rating. According to the Los Angeles Times, if Moody's lowers the state's credit rating, California will join Louisiana and New York as the three states with the worst rating. Standard and Poors director of public finance ratings said: "Our rating anticipates there will be some modest (budget) cuts, but not enough" to avoid borrowing at the end of the fiscal year.
- **State may have to borrow up to \$8 before July** - State Controller Steve Westley said the state will probably have to borrow \$2 billion to \$8 billion before July to deal with cash flow problems brought on by the budget deficit. The Controller said the amount the state will need to borrow will depend on the size of the budget cuts that the Legislature makes before the end of the fiscal year on June 30. If the state borrows money this year, it will be nothing new because California has had to borrow six times during the past 15 years.
- **Speaker for increasing vehicle license fees** - Although the Legislature recently passed legislation to triple the current vehicle license tax, and the Governor said he would veto the bill, Assembly Speaker Herb Wesson still maintains that the tax increase is necessary - with the blessing of local government which depends on the tax for much of its revenue.

- **Economists recommend short-term tax increase** - A group of economists from the University of California and Stanford said the budget deficit is too large to be closed with spending cuts alone. One professor said: "We don't think in the long run that raising taxes is a good thing" but short-term tax increases would be better than using just budget cuts to erase a deficit that could reach \$34.6 billion. Another professor said cutting that much from state spending would be "a major drag on the economy."

**IMPORTANT LEGISLATIVE DATES
(All Subject to Rule Waiver)**

- February 21 - Last day to introduce bills.
- May 2 - Last day for policy committees to hear and report same-house fiscal bills to fiscal committee.
- May 9 - Last day for policy committees to hear and report same-house non-fiscal bills.
- May 23 -- Last day for policy committees to meet prior to June 9 (from May 9 to May 23 policy committees most often begin their consideration of bills from the other house).
- May 30 – last day for fiscal committees to meet prior to June 9.
- June 6 – Last day for each house to pass same-house bills (e.g., last day for Assembly to pass Assembly bills).
- June 9 – Committee hearings may resume (to consider other-house bills).